

AMENDED IN SENATE APRIL 13, 2000

**SENATE BILL**

**No. 1733**

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**Introduced by Senator Knight**

*(Coauthors: Assembly Members Bates and Cunneen)*

February 23, 2000

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An act to amend Section 44277 of, and to add Section 49426.5 to, the Education Code, relating to pupil and personnel health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1733, as amended, Knight. Pupil and personnel health.

Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation pursuant to stated guidelines. Existing law requires a teacher to participate in 150 hours of professional growth over a 5-year period to maintain a clear teaching credential.

The bill would authorize, as of January 1, 2001, an individual program of professional growth to include a course in first aid that meets or exceeds the standards established by the *American Heart Association, the American Red Cross, or the Emergency Medical Services Authority*. The bill would provide that the first aid course may count toward the 150-hours professional growth requirement.

This bill would, on and after July 1, 2001, require that every elementary and secondary school have at least one certificated *or classified* employee trained and currently certified in cardiopulmonary resuscitation and basic first aid pursuant to standards currently used by the American Red

Cross or established by the Emergency Medical Services Authority, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44277 of the Education Code is  
2 amended to read:

3 44277. The Legislature recognizes that effective  
4 professional growth must continue to occur throughout  
5 the careers of all teachers, in order that teachers remain  
6 informed of changes in pedagogy, subject matter, and  
7 pupil needs. In enacting this section, it is the intent of the  
8 Legislature to establish professional growth  
9 requirements that give individual teachers a wide range  
10 of options to pursue as well as significant roles in  
11 determining the course of their professional growth.

12 (a) The minimum requirements for maintaining the  
13 validity of the clear multiple or single subject teaching  
14 credential pursuant to Section 44251 shall be both of the  
15 following:

16 (1) Successful service as a classroom teacher or  
17 successful service authorized by a services credential.  
18 The minimum length of service shall be equivalent to  
19 one-half of a school year.

20 (2) Completion of an individual program of  
21 professional growth as prescribed in this section and by  
22 the commission.



1 (b) An individual program of professional growth shall  
 2 consist of a minimum of 150 clock hours of participation  
 3 in activities that are aligned with the California Standards  
 4 for the Teaching Profession that contribute to  
 5 competence, performance, or effectiveness in the  
 6 profession of education and the teacher's classroom  
 7 assignments. Acceptable activities shall be defined by the  
 8 commission to include, among other acceptable  
 9 activities, the completion of courses offered by regionally  
 10 accredited colleges and universities, including  
 11 instructor-led interactive courses delivered through  
 12 online technologies; participation in professional  
 13 conferences, workshops, teacher center programs, staff  
 14 development programs, or a California Reading  
 15 Professional Development Program operated pursuant  
 16 to Article 2 (commencing with Section 99220) of Chapter  
 17 5 of Part 65; service as a mentor teacher pursuant to  
 18 Section 44496; participation in school curriculum  
 19 development projects; participation in systematic  
 20 programs of observation and analysis of teaching; service  
 21 in a leadership role in a professional organization; and  
 22 participation in educational research or innovation  
 23 efforts. Employing agencies and employees' bargaining  
 24 agents may negotiate to agree on the terms of programs  
 25 of professional growth within their jurisdictions, provided  
 26 that the agreements shall be consistent with this section.

27 (c) An individual program of professional growth shall  
 28 be developed and planned by the holder of a clear  
 29 teaching credential.

30 (d) Effective January 1, 1991, an individual program of  
 31 professional growth may include a basic course in  
 32 cardiopulmonary resuscitation, which includes training  
 33 in the subdiaphragmatic abdominal thrust (also known as  
 34 the "Heimlich maneuver") and meets or exceeds the  
 35 standards established by the American Heart Association  
 36 or the American Red Cross for courses in that subject *or*  
 37 *minimum standards for training programs established by*  
 38 *the Emergency Medical Services Authority*. Effective  
 39 January 1, 2001, an individual program of professional  
 40 growth may also include a course in first aid that meets

1 or exceeds the standards established by the American  
2 Red Cross for courses in that subject *or minimum*  
3 *standards for training programs established by the*  
4 *Emergency Medical Services Authority*. A teacher's  
5 participation in these training options shall count towards  
6 the minimum 150 clock hours required to satisfy the  
7 professional growth requirements.

8 (e) Before a holder of a clear teaching credential  
9 commences or amends an individual program of  
10 professional growth, a school principal, a mentor teacher  
11 provided for in Section 44496, or other district designee  
12 shall certify to the credential holder that the planned  
13 program or amendment complies with this section and  
14 with regulations of the commission.

15 (f) A clear teaching credential shall be deemed to  
16 remain valid so long as the holder of the credential, at  
17 five-year intervals, submits to the commission  
18 verification by a school principal, a mentor teacher, or  
19 other district designee that the holder has satisfied the  
20 minimum requirements specified in subdivision (a). In  
21 the absence of adequate verification, the commission  
22 shall invalidate the credential. Verification by a school  
23 principal, a mentor teacher, or other district designee  
24 shall be independent of any evaluation of the  
25 performance of the holder of the clear teaching  
26 credential that is conducted for the purpose of  
27 determining the credential holder's employment status.  
28 The arbitrary refusal of a school principal, a mentor  
29 teacher, or other district designee to verify completion of  
30 an individual program of professional growth meeting  
31 the requirements of this section and commission  
32 regulations shall constitute grounds for an appeal as  
33 prescribed in Section 44278.

34 SEC. 2. Section 49426.5 is added to the Education  
35 Code, to read:

36 49426.5. On and after July 1, 2001, every elementary  
37 and secondary school shall have at least one certificated  
38 *or classified* employee trained and currently certified in  
39 cardiopulmonary resuscitation and basic first aid  
40 pursuant to standards currently used by the American

1 Red Cross *or that may be established by the Emergency*  
2 *Medical Services Authority.*

3 SEC. 3. Notwithstanding Section 17610 of the  
4 Government Code, if the Commission on State Mandates  
5 determines that this act contains costs mandated by the  
6 state, reimbursement to local agencies and school  
7 districts for those costs shall be made pursuant to Part 7  
8 (commencing with Section 17500) of Division 4 of Title  
9 2 of the Government Code. If the statewide cost of the  
10 claim for reimbursement does not exceed one million  
11 dollars (\$1,000,000), reimbursement shall be made from  
12 the State Mandates Claims Fund.

